

REMARKS

This is in response to the Official Action mailed July 30, 2002. Claims 1 through 39 are pending. Claims 29 has been amended.

Applicant appreciatively acknowledges the opportunity that the Examiner provided on November 7, 2002 to permit the undersigned to outline the remarks below in a brief telephone discussion, and to submit this amendment by facsimile.

Independent claims 1, 11, 12 and 29 were all rejected as being anticipated by Ramsden et al. Applicant respectfully traverses this rejection.

With respect to claim 1, Applicant has previously argued that Ramsden does not disclose a device for receiving a package that is delivered by a carrier. In the Examiner's response, the Examiner contends "Ramsden discloses this feature in Col. 9, lines 51- Col. 10, line 4. In this case, the package is being placed in the secure receptacle by the sender and will be picked up by a carrier." Respectfully, Applicant submits that Ramsden fails to disclose the features recited in independent claim 1

In Ramsden, packages are always placed in the secure receptacle by a sender and are thereafter picked-up by a carrier, precisely the Examiner has noted. This, however, differs substantially from the claimed invention in which carriers are dispatched to the location of a secure receptacle in accordance with instructions associated with the parcel. It is the carrier who is advised of the location of the secure receptacle so that the carrier can go place the package within it and lock the receptacle. In this way, a multiplicity of the secure receptacles can be arbitrarily placed throughout a region and the carrier is dispatched to any and all of these locations to pick-up packages from a secure location for delivery elsewhere.

Ramsden does not disclose a system or method of this type. Rather, Ramsden has the carrier always going to a predetermined location to pick up packages that have been dropped off by senders. The packages of Ramsden do not include instructions that cause the carrier to be dispatched to that predetermined location. In contrast, the method of claim 1 has the carrier dispatched to the location of the secure receptacle in accordance with delivery instructions associated with the parcel.

For the foregoing reasons, Applicant submits that claim 1 defines patentably over Ramsden et al.

With respect to independent claims 11 and 12, Applicant has argued that Ramsden does not disclose picking up packages from arbitrary locations but instead discloses a method where a carrier makes a predetermined route picking up packages. According to the Examiner, "Ramsden does disclose the picking up of packages by following a manifest, however, within this manifest, different deposit locations are presented to the carrier (see Col. 11, lines 8-16)."

While it is true that Ramsden discloses picking up packages in accordance with a manifest, the Examiner has mistakenly attributed the manifest with different deposit locations. Rather, the manifest identifies all of the packages at one predetermined location, namely, the location of the kiosk. The manifest specifies the packages that a given carrier is to pick up. As explained in the text just after the portion to which the Examiner cites

"if the delivery service person indicates that the check-off sheet printed satisfactorily through keypad 28, the service person, who has previously opened manifest access door 86 to obtain access to the manifest printer 90, will open the first service access door 34 and retrieve the packages which have been selected for his particular delivery service."

See Col. 11, lines 21-26. Hence, the carrier must go to the predetermined location of that kiosk to obtain the manifest. Once the packages have been so retrieved, normal delivery can proceed. Accordingly, the carrier is dispatched to the location independent of any instructions associated with any packages.

Claim 11, by contrast, advises the carrier of the location of the secure receptacle and then dispatches the carrier to that location. Likewise, claim 12 labels the parcel "with shipping information, including an identification of the location of the secure receptacle 11. Thus, the carrier is notified of information which includes the arbitrary location of the receptacle.

If the location of the secure receptacle were not provided to the carrier, the carrier would not be aware that a package was ready to be picked up. Ramsden et al. completely avoid this issue by always dispatching the carrier to a known location as exemplified in the following passages:

As noted above with respect to the other embodiments, parcels and envelopes in the storage area are picked up regularly by the service delivery persons.

Col. 23, lines 48-50.

The retail clerk then places the package in an appropriate location for subsequent pick-up by a commercial carrier.

Col. 25, lines 4-6.

... and place the package or envelope 708 in a secure storage area until the carrier comes to pick up the packages and envelopes.

One or more times each working day, the carrier will come around and pick up packages and envelopes that are received and stored for shipment in the manner just described.

Col. 29, lines 17-23.

In each instance, the shipping information identifying the location of the server receptacle is superfluous because Ramsden does not contemplate personal receptacles which only sporadically may contain a package for pickup, but rather contemplates centralized locations as drop-off points for multiple users.

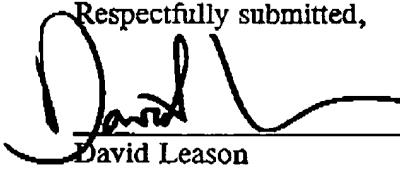
Consequently, Applicant sees no basis for reading Ramsden as disclosing any guidance to a carrier as to the location of a parcel to be picked up. Accordingly, Applicant requests reconsideration and withdrawal of the rejection of claims 11 and 12.

With respect to claim 29, the continued rejection over Ramsden is traversed.

Claim 29 has been amended to clarify structure previously rejected in that claim. Specifically, as previously argued, Ramsden does not disclose a receptacle which secures an interior space from the exterior of the edifice yet which has an unsecured opening in the interior side of the

edifice. This permits persons who rightfully have access to the edifice to gain access to the inside of the receptacle. The features of Ramsden cited by the Examiner relate to interior doors within the kiosk and do not relate to the structure of claim 29 which instead concerns an exteriorly-accessible, unsecured opening on the interior side of an edifice. The amendments make this distinction more explicit and are not believed to narrow the claim: the receptacle already had an interior and a secure opening so as to prevent access to the interior. Reconsideration and withdrawal of the rejections against claim 29 are requested.

The Examiner is invited to contact the undersigned if he perceives of a basis for resolving any outstanding issues.

Respectfully submitted,


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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper and every paper referred to therein is being facsimile transmitted to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, as follows:

Attention: Examiner Akiba K. Robinson Boyce
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November 7, 2002
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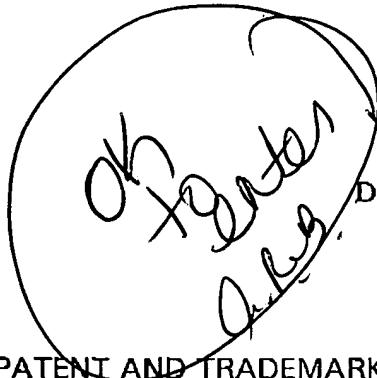
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PATENT TRADEMARK OFFICE

Docket No: 2849/0G277

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Clifford C. THOMPSON

Serial No.: 09/454,770

Art Unit: 3623

Confirmation No.: 4218

Filed: December 3, 1999
Boyce, Akiba K.

Examiner: Robinson

For: RESIDENTIAL AND BUSINESS LOGISTICS SYSTEM AND METHOD

MARK-UP FOR AMENDMENT OF NOVEMBER 8, 2002
PURSUANT TO 37 C.F.R. § 1.121

November 7, 2002

Assistant Commissioner for
Patents
Washington, DC 20231IN THE CLAIMS:

29. (Twice Amended) A system for delivering and shipping a parcel, comprising:

a secure receptacle having an interior space for receiving the parcel, the secure receptacle being positioned in a wall of an edifice, the secure receptacle having a secured opening from the exterior side of the wall preventing access to the interior space and an unsecured opening from the interior side of the wall allowing access to the interior space of the receptacle by persons on the interior side of the wall of the edifice;

a locking mechanism for securing the secure receptacle from the exterior side of the wall;

a scanner positioned within the secure receptacle to scan information on the parcel; and

a communication device connected to the output of the scanner.